

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WELLS FARGO SECURITIES, LLC,

Plaintiff,

-v-

LJM INVESTMENT FUND, L.P. and LJM
PARTNERS, LTD,

Defendants.

CIVIL ACTION NO.: 18 Civ. 2020 (LTS)
(SLC)

ORDER

LJM INVESTMENT FUND, L.P., LJM MASTER
TRADING FUND, L.P., LJM OFFSHORE
FUND, LTD., and PFC-LJM PRESERVATION
AND GROWTH FUND, L.P.,

Counterclaimants,

-v-

WELLS FARGO SECURITIES, LLC,

Counter-Defendant.

SARAH L. CAVE, United States Magistrate Judge:

Pursuant to the Court's order dated September 7, 2023 (Dkt. 213), and pursuant to Federal Rule of Civil Procedure 26(e)(1), which provides the following:

A party who has made a disclosure under Rule 26(a)—or who has responded to an interrogatory, request for production, or request for admission—must supplement or correct its disclosure or response:

(A) in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing; or

(B) as ordered by the court,

the Court orders as follows:

1. The parties have a continuing obligation to supplement their respective discovery disclosures and responses after the close of discovery.

2. LJM or WFS shall produce, insofar as are responsive to the discovery disclosures and responses in this action, transcripts and exhibits of any deposition or other testimony given in any litigation, regulatory investigation, or other proceeding in which any former LJM or WFS employee, partner, affiliate, or agent is involved, either as a party or a third-party, including but not limited to:

- a. *SEC v. LJM Funds Management Ltd., et al.*, Case No. 1:21-cv-02859 (N.D. Ill.);
- b. *CFTC v. LJM Funds Management Ltd., et al.*, Case No. 1:21-cv-02863 (N.D. Ill.);
- c. *LJM Partners, Ltd, et al. v. Wedbush Securities, Inc.*, Index No. 651700/2023 (N.Y. Sup. Ct.) (pending refiling in the courts of the State of Illinois);
- d. *LJM Partners, Ltd v. Barclays Capital Inc., et al.*, Case No. 1:19-cv-00368 (N. D. Ill.).

3. This continuing obligation shall apply to any future litigation, regulatory investigation, or proceeding to which an LJM affiliate, WFS, or any of their former employees or partners is a party and that involves the events of February 5-6, 2018 or the liquidation of the LJM funds.

4. This continuing obligation shall apply regardless of whether LJM or WFS is represented by the same counsel in the various litigation, regulatory investigations, or proceedings.

Dated: New York, New York
September 29, 2023

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge